

75-2b-104 Disposition upon death.

Upon the death of a married person, 1/2 of the property to which this chapter applies is the property of the surviving spouse and is not subject to testamentary disposition by the decedent or distribution under the laws of succession of this state. One-half of that property is the property of the decedent and is subject to testamentary disposition or distribution under the laws of succession of this state. Property to which this chapter applies may not reduce, be subject to, or be used in calculating, the surviving spouse's elective share under this title.

Enacted by Chapter 132, 2012 General Session